

**SHAWN M. THOMAS,**

**Plaintiff,**

**VS.**

## CHAD ROGERS,

**Defendant.**

**CASE NO. 1:14CV2127**

**JUDGE CHRISTOPHER A. BOYKO**

## ORDER

This Court has reviewed the Report and Recommendation (Doc.# 60 ) of Magistrate Judge David A. Ruiz regarding Defendant's Motion for Summary Judgment (Doc.# 44). The Magistrate Judge recommended that Defendant's Motion for Summary Judgment be granted.

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within fourteen days after service, but Plaintiff has failed to timely file any such objections. Therefore, the Court must assume that Plaintiff is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Court adopts in full the Report and Recommendation (Doc.# 60 )

and Defendant's Motion for Summary Judgment (Doc. #44) is granted. Additionally, Plaintiff's sub-claims under the Eighth Amendment conditions of confinement claim are dismissed for failure to exhaust.

IT IS SO ORDERED.

Dated: 8/28/2018

*S/Christopher A. Boyko*  
CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE